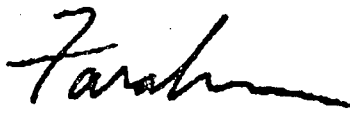


I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED FEB 27 2007

By:



H.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to the registration of a manufactured home community with
the Texas Department of Housing and Community Affairs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 94, Property Code, is
amended by adding Section 94.013 to read as follows:

Sec. 94.013. REGISTRATION; FEE. (a) A landlord shall:

(1) register a manufactured home community with the
manufactured housing division of the Texas Department of Housing
and Community Affairs in the manner prescribed by rule by the
Manufactured Housing Board of the division; and

(2) pay to the division an annual registration fee in
the amount of \$200 for each manufactured home community location.

(b) The registration fee is due on the date the landlord
initially registers the manufactured home community and on each
anniversary of that date. The division may assess a late fee
against a landlord who fails to timely pay the registration fee.

(c) The division shall:

(1) prescribe and distribute forms for registration of
a manufactured home community under this section; and

(2) using field office personnel or other appropriate
means, notify manufactured housing trade associations and any known
manufactured home communities of the registration requirement
under this section.

1 SECTION 2. Section 94.053(c), Property Code, is amended to
2 read as follows:

3 (c) A lease agreement must contain the following
4 information:

5 (1) the address or number of the manufactured home lot
6 and the number and location of any accompanying parking spaces;

7 (2) the lease term;

8 (3) the rental amount;

9 (4) the interval at which rent must be paid and the
10 date on which periodic rental payments are due;

11 (5) any late charge or fee or charge for any service or
12 facility, or any fee charged in connection with registration of the
13 manufactured home community under Section 94.013;

14 (6) the amount of any security deposit;

15 (7) a description of the landlord's maintenance
16 responsibilities;

17 (8) the telephone number of the person who may be
18 contacted for emergency maintenance;

19 (9) the name and address of the person designated to
20 accept official notices for the landlord;

21 (10) the penalty the landlord may impose for the
22 tenant's early termination as provided by Section 94.201;

23 (11) the grounds for eviction as provided by
24 Subchapter E;

25 (12) a disclosure of the landlord's right to terminate
26 the lease agreement if there is a change in the land use of the
27 manufactured home community during the lease term as provided by

1 Section 94.204;

2 (13) a disclosure of any incorporation by reference of
3 an addendum relating to submetering of utility services;

4 (14) a prominent disclosure informing the tenant that
5 Chapter 94, Property Code, governs certain rights granted to the
6 tenant and obligations imposed on the landlord by law;

7 (15) if there is a temporary zoning permit for the land
8 use of the manufactured home community, the date the zoning permit
9 expires; and

10 (16) any other terms or conditions of occupancy not
11 expressly included in the manufactured home community rules.

12 SECTION 3. (a) The manufactured housing division of the
13 Texas Department of Housing and Community Affairs shall initially
14 prescribe and distribute registration forms and provide the notice
15 required by Section 94.013, Property Code, as added by this Act, not
16 later than the 60th day after the effective date of this Act.

17 (b) The landlord of a manufactured home community that
18 exists on the effective date of this Act shall register the
19 community location with the manufactured housing division, as
20 required by Section 94.013, Property Code, as added by this Act, not
21 later than the 60th day after the date the division initially
22 distributes the registration forms prescribed under that section.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2007.

HOUSE COMMITTEE REPORT

07 APR 19 PM 11:58
HOUSE OF REPRESENTATIVES

1st Printing

By: Farabee

H.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

relating to the registration of a manufactured home community with the Texas Department of Housing and Community Affairs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 94, Property Code, is amended by adding Section 94.013 to read as follows:

Sec. 94.013. REGISTRATION; FEE. (a) A landlord shall:

(1) register a manufactured home community with the manufactured housing division of the Texas Department of Housing and Community Affairs in the manner prescribed by rule by the Manufactured Housing Board of the division; and

(2) pay to the division an annual registration fee in the amount of \$200 for each manufactured home community location.

(b) The registration fee is due on the date the landlord initially registers the manufactured home community and on each anniversary of that date. The division may assess a late fee against a landlord who fails to timely pay the registration fee.

(c) The division shall:

(1) prescribe and distribute forms for registration of a manufactured home community under this section; and

(2) using field office personnel or other appropriate means, notify manufactured housing trade associations and any known manufactured home communities of the registration requirement under this section.

SECTION 2. Section 94.053(c), Property Code, is amended to read as follows:

(c) A lease agreement must contain the following information:

(1) the address or number of the manufactured home lot and the number and location of any accompanying parking spaces;

(2) the lease term;

(3) the rental amount;

(4) the interval at which rent must be paid and the date on which periodic rental payments are due;

(5) any late charge or fee or charge for any service or facility, or any fee charged in connection with registration of the manufactured home community under Section 94.013;

(6) the amount of any security deposit;

(7) a description of the landlord's maintenance responsibilities;

(8) the telephone number of the person who may be contacted for emergency maintenance;

(9) the name and address of the person designated to accept official notices for the landlord;

(10) the penalty the landlord may impose for the tenant's early termination as provided by Section 94.201;

(11) the grounds for eviction as provided by Subchapter E;

(12) a disclosure of the landlord's right to terminate the lease agreement if there is a change in the land use of the manufactured home community during the lease term as provided by

1 Section 94.204;

2 (13) a disclosure of any incorporation by reference of
3 an addendum relating to submetering of utility services;

4 (14) a prominent disclosure informing the tenant that
5 Chapter 94, Property Code, governs certain rights granted to the
6 tenant and obligations imposed on the landlord by law;

7 (15) if there is a temporary zoning permit for the land
8 use of the manufactured home community, the date the zoning permit
9 expires; and

10 (16) any other terms or conditions of occupancy not
11 expressly included in the manufactured home community rules.

12 SECTION 3. (a) The manufactured housing division of the
13 Texas Department of Housing and Community Affairs shall initially
14 prescribe and distribute registration forms and provide the notice
15 required by Section 94.013, Property Code, as added by this Act, not
16 later than the 60th day after the effective date of this Act.

17 (b) The landlord of a manufactured home community that
18 exists on the effective date of this Act shall register the
19 community location with the manufactured housing division, as
20 required by Section 94.013, Property Code, as added by this Act, not
21 later than the 60th day after the date the division initially
22 distributes the registration forms prescribed under that section.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2007.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

April 11, 2007

(date)

Sir:

We, your **COMMITTEE ON URBAN AFFAIRS**

to whom was referred HOUSE BILL No. 2050 have had the same under consideration and beg to report back with the recommendation that it

☒ do pass, without amendment.

☐ do pass, with amendment(s).

☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

☒ yes ☐ no A fiscal note was requested.

☐ yes ☒ no A criminal justice policy impact statement was requested.

☐ yes ☒ no An equalized educational funding impact statement was requested.

☐ yes ☒ no An actuarial analysis was requested.

☐ yes ☒ no A water development policy impact statement was requested.

☐ yes ☒ no A tax equity note was requested.

☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Bailey, Chair	x			
Murphy, Vice-chair	x			
Menendez, CBO	x			
Cohen				x
Latham	x			
Mallory Caraway	x			
Martinez Fischer				x

Total

-5-

aye

-0-

nay

-0-

present, not voting

-2-

absent

CHAIR

KEVIN BAILEY

BILL ANALYSIS

H.B. 2050
By: Farabee
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, manufactured housing communities are not required to register with the Texas Department of Housing and Community Affairs. Because of this, taxing entities and regulatory authorities may not be aware of the location of these communities. It would be helpful to know exactly how many manufactured housing communities exist--and where they are located--in an effort to better assist residents and owners of these communities.

RULEMAKING AUTHORITY

It is the Committee's opinion that this bill expressly grants rulemaking authority to the manufactured housing division's Manufactured Housing Board of the Texas Department of Housing and Community Affairs.

SUMMARY ANALYSIS

The bill amends Subchapter A, Chapter 94 of the Property Code, adding a new Section requiring a landlord to register a manufactured home community with the manufactured housing division of the Texas Department of Housing and Community Affairs (TDHCA) and to pay a registration fee of \$200.

The fee is due upon registration of the manufactured community and on each anniversary of the date the community was registered.

The bill requires the manufactured housing division of TDHCA to make registration forms available for communities and to use personnel and other appropriate means to notify manufactured housing communities of the registration requirement.

The bill makes conforming language changes to Section 94.053(c) of the Property Code.

EFFECTIVE DATE

The Act would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. Otherwise, September 1, 2007.

SUMMARY OF COMMITTEE ACTION

HB 2050

April 11, 2007 upon final adjourn./recess

Considered in public hearing

Reported favorably without amendment(s)

WITNESS LIST

HB 2050

HOUSE COMMITTEE REPORT

Urban Affairs Committee

April 11, 2007 upon final adjourn./recess

Registering, but not testifying:

On: Irvine, Tim (Texas Dept. of Housing & Community Affairs, Manufactured
Housing Division)
O'Gorman, Keith (Texas Manufactured Housing Asso.)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 10, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2050 by Farabee (Relating to the registration of a manufactured home community with the Texas Department of Housing and Community Affairs.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2050, As Introduced: a positive impact of \$280,000 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$140,000
2009	\$140,000
2010	\$140,000
2011	\$140,000
2012	\$140,000

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from GENERAL REVENUE FUND 1
2008	\$140,000
2009	\$140,000
2010	\$140,000
2011	\$140,000
2012	\$140,000

Fiscal Analysis

The bill would amend the Property Code to provide the Texas Department of Housing and Community Affairs (TDHCA) the authority to register manufactured home communities and the authority to collect fees for this registration.

The bill would take effect immediately if it were to receive a vote of two-thirds of all members elected to each house; otherwise, the bill would take effect September 1, 2007.

Methodology

Based on information provided by TDHCA, it is assumed that there are 700 manufactured home communities in the state. The bill would require a \$200 annual registration fee; therefore, this analysis

assumes that there would be an additional \$140,000 in fee-generated revenue deposited into the General Revenue Fund each fiscal year.

Based on information provided by TDHCA, it is assumed that costs related to the duties and responsibilities associated with implementing the provisions of the bill could be covered by utilizing existing resources.

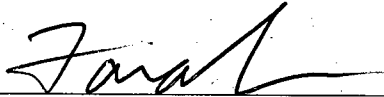
Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 332 Department of Housing and Community Affairs

LBB Staff: JOB, DB, MW, AH

H.B. No. 2050

By 

A BILL TO BE ENTITLED
AN ACT

relating to the registration of a manufactured home community with the Texas Department of Housing and Community Affairs.

FEB 27 2007 Filed with the Chief Clerk

MAR 05 2007 Read first time and referred to Committee on Urban Affairs

APR 11 2007 Reported favorably (~~as amended~~)
(~~as substituted~~)

APR 20 2007 Sent to Committee on (Calendars)
(~~Special or Concurrent Calendars~~)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

OTHER HOUSE ACTION: _____ CHIEF CLERK OF THE HOUSE

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

OTHER SENATE ACTION: _____ SECRETARY OF THE SENATE

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

07 APR 19 PM 11:58

HOUSE OF REPRESENTATIVES